

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAEMON LOVE *et al.*,

Plaintiffs,

Case No. 13-cv-14946

Hon. Matthew F. Leitman

v.

JACOB J. LEW *et al.*,

Defendants.

ORDER ADMINISTRATIVELY CLOSING CASE

On December 4, 2013, Plaintiffs Daemon Love (“Love”) and Gary and Beth Marshall (the “Marshalls”) (collectively, “Plaintiffs”) filed this foreclosure action against Jacob J. Lew (“Lew”), Shaun Donovan (“Donovan”), Wells Fargo Bank, N.A. (“Wells Fargo”), and Taylor, Bean & Whitaker Mortgage Corporation (“TBW”). (*See* Compl., ECF #1; First Am. Compl., ECF #6.) Among other things, the Marshalls allege that TBW engaged in fraud related to their request for a mortgage modification, and they seek both damages and equitable relief. (*See* First Am. Compl. at ¶¶ 59-67.)

The Court has previously dismissed all of the claims Plaintiffs brought against all of the Defendants except for TBW. (*See* ECF ## 37 (granting Wells Fargo’s motion to dismiss), 46 (granting Lew and Donovan’s motion to dismiss).

dismiss).) Thus, the only remaining claims in this action the Marshalls' claims against TBW.

On September 29, 2014, the parties stipulated to a stay of proceedings with respect to the Marshalls' claims against TBW. (*See* ECF #34.) The parties stipulated to the stay because TBW was the subject of bankruptcy proceedings in the United States Bankruptcy Court for the Middle District of Florida, Jacksonville Division (the "Bankruptcy Court"), Case No. 3:09-bk-07047-JAF, and the Marshalls' claims against TBW were subject to an injunction and automatic stay entered by the that court. (*See id.*) The Court entered a stipulated order extending the stay on April 8, 2015. (*See* ECF #48.)

The Court held a telephonic status conference with counsel for the parties on May 2, 2016, to discuss the current status of TBW's bankruptcy proceedings. The Court was informed during that call that the Marshalls' claims against TBW remain subject to the Bankruptcy Court's injunction and automatic stay. Accordingly, the Court directs the Clerk of the Court to **ADMINISTRATIVELY CLOSE** this action until further Order of this Court.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: May 3, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 3, 2016, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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